

Eng. Rebecca Nieves
Executive Director
Solid Waste Management Authority
P.O. Box 40285
San Juan, Puerto Rico 00940-0285

Dear Executive Director Nieves:

On behalf of the United States Environmental Protection Agency (EPA) Region 2, Division of Environmental Planning and Protection, I congratulate you on your new position, wish you the greatest success, and offer you our full support. We have worked closely with Puerto Rico's Solid Waste Management Authority (SWMA) for many years and looks forward to continuing to do so under your leadership.

Puerto Rico's solid waste management situation presents an enormous challenge, and EPA is increasingly concerned as widespread landfill violations persist, landfill capacity is rapidly diminishing and no alternative waste management options have been established. Although Puerto Rico has completed many regional solid waste management plans in the past, none were implemented. EPA commented extensively on SWMA's most recent plan, the Dynamic Itinerary for Infrastructure Projects (DIIP) and has had numerous dialogues with SWMA regarding the plan's implementation. EPA remains concerned that this plan, similar to SWMA's earlier solid waste management plans, is not being implemented fully and Puerto Rico's solid waste management problem will soon become a crisis.

EPA also remains concerned about the unresolved issues identified in our previous comment letters on the DIIP, including:

- individual existing and proposed landfills, their compliance issues and critical capacity limits;
- tipping fees at open dumps that are below the level necessary to maintain compliance and are non-competitive with WTE facility handling costs;
- absence of detailed implementation plans and timelines (see below);
- lack of identified funding streams for the infrastructure improvements as well as compliance, closure, and post-closure costs;
- outreach, coordination and support for the DIIP, especially critical entities, agencies and municipalities;
- assignment of specific responsibilities with respect to implementation of the DIIP.

Together I believe we can rebuild the momentum needed to put the DIIP fully into effect. Please call me or have your staff contact Adolph Everett, Chief, RCRA Programs Branch at (212) 637-4109 at your earliest convenience to discuss the immediate next steps needed to avert this impending public health and environmental crisis.

Again I offer you my congratulations on your appointment and my commitment to work with you on this matter of vital importance to the citizens of Puerto Rico.

Sincerely,

Barbara Finazzo, Director
Division of Environmental Planning and Protection

cc: Mr. Pedro Nieves Miranda, President
Puerto Rico Environmental Quality Board
P.O. Box 11488
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bcc: Dale Carpenter, RPB
Adolph Everett, RPB
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